

a database connected to the Internet routing server receiving and storing processed information about transactions including at least one of call volume, agent status, or agent skills at the remote IPNT call center;

wherein the Internet routing server is adapted to select final destinations for the incoming calls based on the stored processed information about transactions at the remote IPNT call centers.

12. The call processing system of claim 11 wherein the database receives the processed information in TCP/IP protocol over the Internet.

#### **REMARKS**

The present amendment is responsive to the Office Action mailed in the above-referenced case on November 30, 1999. In the Office Action claims 6-12 are presented for examination. Claims 6-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Schumacher (USP 5,841,854) hereinafter Schumacher, in view of Land et al. (USP 5,751,706) hereinafter Land.

Applicant has studied the prior art provided by the Examiner in detail, and the Examiner's remarks in rejection of the claims. In response, the applicant has herein argued the claims in their last amended form.

Applicant believes that no amendments are necessary to overcome the prior art presented by the Examiner. Applicant herein presents arguments to clearly distinguish the present claims over the prior art of Schumacher and Land.

Claim 6 herein recites:

*6. An Internet Protocol Network Telephony (IPNT) call-routing system for routing incoming IPNT calls to at least one agent workstation in an IPNT-capable call center, comprising:*

*an initial call-processing system receiving IPNT calls from customers over a wide area network (WAN), and including a Service Control Point (SCP) processor routing the incoming IPNT calls to selected agent addresses at the at least one call center;*

*characterized in that the SCP processor uses activity information, including one or more of call volume, agent status, and agent skills, received from the at least one call center to select the agent addresses at agent workstations in the at least one call center to route the incoming IPNT calls.*

The Examiner has rejected claim 6 under 103(a) using Schumacher and Land. The Examiner states that Schumacher teaches a SCP for routing incoming calls to agents based on his/her language skills (see SCP 485 in Fig. 4). Schumacher differs in that Schumacher does not teach the use of the Internet to transport telephone calls i.e. IPNT calls. The Examiner states that Land teaches the use of the Internet as a low cost means to transport telephone calls. See figure 3, col. 7-9. Thus, it would have been obvious to apply Land's teaching of using the Internet as a low cost means to transport telephone calls in Schumacher's system with the motivation being to lower the cost of transporting long distance telephone calls.

Applicant respectfully traverses the Examiner's remarks stating that it would have been obvious to combine Schumacher and Land to accomplish applicant's claimed invention. The Examiner states that Schumacher's SCP routes calls to agent's based on his/her language skills.

The Examiner then relates figure 4 element 485, to support the statement. Applicant has read all of the disclosure in Schumacher regarding the SCP 485 including it's functions and is unable to find anywhere in the disclosure the ability of the SCP to use activity information, including one or more of call volume, agent status, and agent skills, received from the at least one call center to select the agent addresses at agent workstations, as clearly recited in applicant's claim 6.

Figure 4 of Schumacher shows a connection between the SCP 485 and the PCS platform, specifically column 15 beginning with line 27 discloses that the SS7 network 490 connects to SCP 485. Agent level routing at the network level (SCP) is clearly not done in the art of Schumacher. The PCS platform handles the routing of calls to agents received from the network (SCP). The SS7 network may communicate with the SCP in a limited capacity, for example redirecting calls to a central switch or PBX when the other connected party hangs up. Schumacher has absolutely no disclosure for routing calls to individual agents from the network (SCP) as a result of initial processing including the SCP receiving information regarding call volume, agent status, and agent skills, received from the at least one call center.

The PCS platform of Schumacher may connect to any number of switching nodes within the Central Office Network **50**, any wireless network, or any on-premises networks to provide the wireless ACD service. The PCS platform can connect to the Customer Database **170** through any available data communication connection . The Access to this database is to provide customer specific rules for distributing calls to agents at the PCS. Schumacher does not teach monitoring agent status, call volume, and agent skill sets, communicating this information from the call center to the SCP and routing the call accordingly as recited in applicant's claim 6.

Applicant disagrees with the Examiner's statement that it would have been obvious to combine the teachings of the ability to transport telephone calls over the Internet as disclosed in Land with the teachings of Schumacher with the motivation being to lower the cost of transporting long distance telephone calls.

Firstly, neither Schumacher or Land teach the hardware elements, including functionality and the connectivity of said hardware elements necessary to route incoming IPNT calls to agents in IPNT capable call centers. Land fairly teaches a system and method for establishing a call telecommunications path from an originating telecommunications system to a terminating telecommunications system via a packet-based telecommunications system using the regular call establishment formats of the originating and terminating telecommunications systems. Land does not disclose an initial call-processing system receiving IPNT calls from customers over a wide area network (WAN), and including a Service Control Point (SCP) processor routing the incoming IPNT calls to selected agent addresses at the at least one call center. Land teaches a method of transporting PSTN calls by receiving a conventional call at an originating call processor 130, re-formatting the analog data to a data packet network, sending the call over the data packet network to a terminating call processor 150, re-formatting the data back to the analog data as required by the conventional PSTN, and delivering the call to a destination 170.

Applicant does not believe there is any prior art available at the time of filing the present application which teaches intelligent routing to individual agents from the network level using the Internet Protocol Network Telephony protocol. There is no prior art disclosing a Service Control Point in an Internet call processing system capable of routing calls at the agent level of a call center based on detailed information including call volume, agent skills and agent status, communicated to the SCP by the

call center. Claim 6 clearly recites the above capabilities clearly not shown in the art of Schumacher or Land.

Additionally applicant contends that the motivation to receive and route IPNT calls over the Internet or any other WAN in applicant's invention is not for cost effective reasons as stated by the Examiner supporting the obvious combination of Schumacher and Land. At the time of filing this application placing IPNT calls is known in the art. IPNT systems at the time of the present patent application are much less sophisticated in provision of intelligent routing, parallel data transfer, supplemental data provision to agents, and the like. The present invention, for the first time known in the art, provides intelligent, agent level routing capabilities at the network level in IPNT.

IPNT networks and PSTN networks have radically different physical architectures. For example IPNT networks do not have ACD switches etc. IPNT networks are conventionally known as "dumb networks" in the art. Data packets have a designated address for the recipient at the time of origination. IPNT calls are merely forwarded between servers in the "dumb network." Typically the final address must be decided when the call is placed. Applicant's invention brings intelligent routing capabilities to the art of routing data packets on the Internet that was unknown at the time of applicant's filing of this invention.

Applicant believes claim 6 is clearly patentable as argued in detail above. Schumacher does not provide the basic intelligent routing functions at the network level as claimed, and Land fails to disclose the IPNT telephony functions as claimed. Therefore, the Examiner has not provided the applicant with a viable *prima facia* case of obviousness. Claim 6 is patentable over the 103(a) rejection provided by the Examiner. Claims 7-10 are patentable at least as depended from a patentable claim.

Claim 11 herein recites:

*11. An Internet Protocol Network Telephony (IPNT) call processing system for routing incoming calls to at least one agent workstation in an IPNT-capable call center, comprising:*

*an Internet routing server adapted to route IPNT calls; and*

*a database connected to the Internet routing server receiving and storing processed information about transactions including at least one of call volume, agent status, or agent skills at the remote IPNT call center;*

*wherein the Internet routing server is adapted to select final destinations for the incoming calls based on the stored processed information about transactions at the remote IPNT call centers.*

Claim 11 is also rejected under 103(a) as being unpatentable over Schumacher in view of Land. As argued above on behalf of claim 6 Schumacher does not teach a database connected to the Internet routing server (or any other network level router) receiving and storing processed information about transactions including at least one of call volume, agent status, or agent skills at the remote IPNT call center. Wherein the Internet routing server is adapted to select final destinations for the incoming calls based on the stored processed information about transactions at the remote IPNT call centers. There are absolutely no routers in the art of Schumacher or Land that are capable of routing IPNT calls based on received information from a destination or call center.

Applicant believes claim 11 is patentable over the art of Schumacher and Land as argued above. Claim 12 is also patentable at least as depended from a patentable claim.

The prior art presented in the art has failed to support the claimed system of routing IPNT calls to selected agent workstation destinations in an IPNT call center based on agent level status of the call center. The art presented by the Examiner fails to support the 103 rejection. Applicant respectfully points out to the Examiner that this is the 3<sup>rd</sup> action in this case and suitable prior art has yet to be found to support a rejection. As all of the claims as amended are clearly shown to be patentable over the art of record, Applicant respectfully requests that the rejections be withdrawn and that the case be passed quickly to issue.

If any fees are due beyond fees paid with this amendment, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

Respectfully Submitted,  
Alec Miloslavsky

by 

Donald R. Boys  
Reg. No. 35,074

Donald R. Boys  
Central Coast Patent Agency  
P.O. Box 187  
Aromas, CA 95004  
(831) 726-1457